

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

UNITED STATES OF AMERICA,	§	Case 4:18-cr-00575
	§	
Plaintiff,	§	
	§	
v.	§	
	§	
JACK STEPHEN PURSLEY,	§	
	§	
Defendant.	§	

**DEFENDANT’S MOTION TO SUBSTITUTE VICTOR VITAL AS SOLE LEAD  
COUNSEL AND FOR A SHORT CONTINUANCE**

Defendant Jack Stephen Pursley (“Pursley”), subject to and without waiving Pursley’s Motion To Dismiss for Lack Of Speedy Trial [Dkt. 86] and the statute of limitations arguments asserted therein, and only in the event the Court declines to dismiss this case and proceeds toward trial, asks this Court to substitute existing counsel (Victor D. Vital of Barnes & Thornburg LLP, 2121 North Pearl Street, Suite 700, Dallas, Texas 75201) as sole and lead counsel in place of Michael Minns and Ashley Arnett (together, “Minns & Arnett”), who seek to withdraw as counsel for Pursley. Pursley seeks this substitution because the relationship between he and Minns & Arnett has deteriorated to the point where (1) Pursley cannot meaningfully participate in his own defense, (2) their differences obstruct and inhibit meaningful preparation for trial, and (3) Pursley’s effective assistance of counsel is threatened. As the court saw at the Pre-Trial Conference, Mr. Vital is fluent on the issues in the case. However, so as to ensure an orderly transition of the experts, witnesses, and exhibits, Pursley requests a 30-day continuance of the June 18<sup>th</sup> trial date. Since his indictment, Pursley has not made a request for a continuance, although the government has requested – and been granted – multiple continuances.

For the reasons articulated above, and in the interests of justice, Pursley requests this Court substitute counsel and grant the requested 30-day trial continuance.

Respectfully submitted,

BARNES & THORNBURG LLP

By: /s/ Victor D. Vital  
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*Attorney for Defendants*

**CERTIFICATE OF CONFERENCE**

On June 11, 2019 the undersigned conferred with counsel for the Government and requested its position on this Motion. The Government does not oppose the request for substitution but does oppose the continuance. The undersigned also conferred with Minns and Arnett. Minns and Arnett are not opposed to this Motion.

/s/ Victor D. Vital  
Victor D. Vital

**CERTIFICATE OF SERVICE**

I hereby certify that on June 11, 2019 a true and correct copy of the foregoing document was served on all attorneys of record.

/s/ Victor D. Vital  
Victor D. Vital